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Withdrawing attorneys for Parker Industries, Inc.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

RILEY A. CLINE and ZACHARY
AARON CLINE,

Plaintiffs,

v.

PARKER INDUSTRIES, INC. dba SOFA
SOURCE, and DOES 1-3,

Defendants.

**MOTION TO WITHDRAW AS
COUNSEL**

Civil No. 2:21-cv-635-DAO

Magistrate Judge Daphne A. Oberg

Pursuant to DUCivR 83-1.4, Walter A. Romney, Jr. and Trenton L. Lowe of the law firm Clyde Snow & Sessions (“Counsel”) hereby move to withdraw as counsel for Defendant Parker Industries, Inc. dba Sofa Source (“Parker Industries”), whose last known contact information is the following:

Address

PO Box 65315
South Salt Lake, Utah 84165

Phone

(801) 357-9024

Email

aaron.parker@thesofasource.com

or

2915 South West Temple
South Lake Lake, Utah 84115

Counsel are withdrawing based on Parker Industries' continued failure to pay for Counsel's services throughout this matter. In the event this Motion is granted, Parker Industries or its new counsel must file a notice of appearance within twenty-one (21) days after entry of the Order granting this Motion, unless otherwise ordered by this Court. Pursuant to DUCivR 83-1.3, no corporation, association, partnership, limited liability company, or other artificial entity may appear pro se, but must be represented by an attorney who is admitted to practice in this court.

This case has not been set for trial, and there are no pending hearings or other events at which an appearance would be required by Parker Industries. The fact discovery period ended on July 7, 2022, and the parties are currently engaged in the expert discovery phase, which began on July 1, 2022.¹ The July 1, 2022 deadline was for the party bearing the burden of proof to disclose its experts, if any. Neither party disclosed any experts on July 1, 2022. The next expert deadline is July 15, 2022 to provide counter expert disclosures, though in the absence of any initial expert disclosures, this deadline is moot. Plaintiffs filed a Motion for Partial Summary Judgment on August 8, 2022, and Parker Industries' response to that motion is due on September 5, 2022, though the Parties have filed their Stipulated Motion to Extend Defendant's Time to Respond to Motion for Partial Summary Judgment with a stipulated deadline of October 3, 2022. The next substantive

¹ The overlap between fact discovery and expert discovery is due to the parties stipulating to extend fact discovery until July 7, 2022, only for the purpose of conducting Plaintiff Riley Cline's deposition and for no other reason. As such, expert discovery began on July 1, 2022.

deadline is that for filing dispositive or potentially dispositive motions, which is October 28, 2022.

The Amended Scheduling Order detailing all future deadlines is attached hereto as Exhibit A.

CERTIFICATION

Walter A. Romney, Jr. certifies that Parker Industries and all parties to this matter have been served with this Motion, which includes a written status of this case. Mr. Romney further certifies that no trial date has been set in this case.

DATED this 23rd day of August, 2022.

CLYDE SNOW & SESSIONS

/s/ Walter A. Romney, Jr.
Walter A. Romney, Jr.
Trenton L. Lowe
*Withdrawing attorneys for Defendant
Parker Industries, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of August, 2022, I caused a true and correct copy of the foregoing **MOTION TO WITHDRAW AS COUNSEL** to be electronically filed using the CM/ECF system, with notification automatically sent to the following:

Kenneth B. Grimes
Kenneth B. Grimes, P.C.
480 East 400 South, Suite 203
Salt Lake City, Utah 84111
kglawyerutah@gmail.com
Attorney for Plaintiffs

In addition, I hereby certify that I served the foregoing via e-mail and United States First Class Mail, postage prepaid, to the following:

Aaron Parker
c/o Parker Industries, Inc.
PO Box 65315
South Salt Lake, Utah 84165
aaron.parker@thesofasource.com

/s/ Barbara Reissen